



TEMPORARY

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: BUREAU OF INDIAN AFFAIRS AND PYRAMID
LAKE PAIUTE TRIBE OF INDIANS

Source: INDIAN DITCH

Basin: PYRAMID LAKE VALLEY

Manner of Use: AS DECREED

Period of Use: January 1st to December 31st

Priority Date: 05/14/2009

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit, to change the place and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 1, Truckee River Decree, is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued subject to the continuing jurisdiction and regulation by the Orr Ditch Decree Court and the Federal Water Master.

(Continued on Page 2)

This temporary permit expires one year from the date of issue and shall be exercised as described in either proposed Alternative 3 or 4 as set forth in the Environmental Assessment by the U.S. Department of the Interior, dated June 2002, that is the water will be taken in equal amounts over a certain number of months.

The amount of water described under Alternatives 3 and 4 will be delivered at a continuous diversion rate for the percentages described in each month set forth in each alternative.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 51.8 cubic feet per second or 8,292.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

N/A

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of July, A.D. 2009

Tracy Taylor P.E.
State Engineer

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office	MAY 14 2009
Returned to applicant for correction _____	
Corrected application filed _____	Map filed FEB 02 2001 under 67182 <i>Sheet 1</i>

The applicant See Attachment A

P.O. Box 256 of Nixon
Street Address or P.O. Box City or Town
Nevada 89424, hereby make(s) application for permission to change the
State and Zip Code

☐ Point of diversion ☒ Place of use ☒ Manner of use

5/27/09
per phone call
☒ of a portion *2:00 p.m.*
U.M. Man

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 1; in the Federal District Court of Nevada.

1. The source of water is Truckee River
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 8,292 acre-feet (2,073 acres @ 4.0 acre-feet per acre).
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Wildlife, including instream flows for fish (cui-ui and Lahontan cutthroat trout).
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.
4. The water heretofore used for As decreed.
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
As decreed, Section 18, T22N, R24E, M.D.B.&M. (Indian Ditch)
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

81-w

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Truckee River downstream of Indian Ditch diversion to the Pyramid Lake inlet as shown on the map accompanying Application No. 67182.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

As decreed on Pyramid Lake Indian Reservation bottom lands.

9. Proposed use will be from As decreed to As decreed of each year.
Month and Day Month and Day

10. Existing use permitted from As decreed to As decreed of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

No new diversion works will be constructed.

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use As soon as approved.

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

There will be no diversion. The water is to remain in the Truckee River from Indian Ditch Diversion to Pyramid Lake. The water duty and maximum rate of diversion indicated in the application and its attachments are based on the conditions specified by the State Engineer in Permit No. 71977-T. See Attachment B and attached map which is an April 2008 revision of the map submitted by the Pyramid Lake Paiute Tribe of Indians pursuant to State Engineer Ruling #5185 regarding Application No. 68157-T.

16. Miscellaneous remarks:

This is an application for TEMPORARY change (3 years).

775-574-1050 x21
Phone No.

JACKSON@PLPT.NSN.US
E-mail

By John Jackson

Print or type name clearly

John Jackson
Signature, applicant or agent

Pyramid Lake Paiute Tribe
Company Name

P.O. Box 256
Street Address or P.O. Box

Nixon, Nevada 89424
City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment A

The applicants are:

- 1) **The United States as trustee for the Pyramid Lake Paiute Tribe of Indians, acting through the Bureau of Indian Affairs.**

Allen Anspach, Western Regional Director
Bureau of Indian Affairs
400 N. 5th Street, 14th Floor
Phoenix, Arizona 85001 Phone: (602) 379-6600

and

- 2) **The Pyramid Lake Paiute Tribe of Indians.**

John Jackson, Director of Water Resources
Pyramid Lake Paiute Tribe of Indians
P.O. Box 256
Nixon, Nevada 89424 Phone: (775) 574-1050